

[Report No. 59.]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 1861.

Read twice, recommitted, and ordered to be printed.

Mr. J. COCHRANE, from the select committee, reported the following bill :

A BILL

Further to provide for the collection of duties on imports.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That whenever in any port of the United States now estab-
4 lished, or which hereafter may be established by law, the collec-
5 tion of revenue or enforcement of the laws in relation thereto is
6 obstructed; or whenever, by reason of any unlawful combina-
7 tion of persons, it shall become impracticable to collect the
8 duty on imports at any such port in the ordinary way, under
9 existing laws, the President shall make proclamation thereof,
10 specifying the port in which such obstruction or impractica-
11 bility in the execution of the revenue laws of the United
12 States exists.

1 SEC. 2. *And be it further enacted,* That whenever it
 2 shall appear, upon production of the manifest or manifests, in
 3 writing, of any ship or vessel (not engaged in the coastwise
 4 trade,) or in any other manner, that said ship or vessel is bound
 5 to any port mentioned and specified in such proclamation afore-
 6 said ; or whenever, upon demand of the officer of customs
 7 boarding any ship or vessel (not engaged in the coastwise trade,) the master or other person having charge or command thereof
 8 shall neglect or refuse to produce the manifest or manifests
 9 now required by law, or shall not give an account of the true
 10 destination of such ship or vessel, which he is hereby required
 11 to do upon the request of such officer, or shall give a false
 12 account of such destination, then and in each and every such
 13 case the master or other person having the charge or command
 14 of such ship or vessel shall forfeit for every such neglect,
 15 refusal, or offence, the sum of five hundred dollars, in addition
 16 to the sum of five hundred dollars imposed by section twenty-
 17 six of the act of March second, seventeen hundred and ninety-
 18 nine ; and such ship or vessel, together with her tackle, fur-
 19 niture, apparel and cargo, shall be subject to seizure and
 20 forfeiture.
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1 SEC. 3. *And be it further enacted,* That if any ship or
 2 vessel bound, with her cargo, or any part thereof, to a foreign
 3 port or place, shall depart on her voyage to such foreign port
 4 or place without delivering such manifest and obtaining a

5 clearance, as is required by section ninety-three of the act
6 entitled "An act to regulate the collection of duties on im-
7 ports and tonnage," approved March second, seventeen hun-
8 dred and ninety-nine, the said master or other person having
9 the charge or command of such ship or vessel shall forfeit and
10 pay the sum of five hundred dollars for every such offence, in
11 addition to the penalty imposed by said section; and the said
12 ship or vessel, and the tackle, furniture, and apparel thereof,
13 together with the cargo and lading of the same, shall be liable
14 to forfeiture and condemnation.

1 SEC. 4. *And be it further enacted*, That any ship or
2 vessel, together with her tackle, furniture, apparel, or cargo,
3 seized under and by virtue of this act, for a violation of any of
4 the provisions thereof, may be taken into any port of entry in
5 the United States to be proceeded against according to law ;
6 and the district or circuit court of the United States exercising
7 jurisdiction in the port to which such ship or vessel, tackle,
8 furniture, apparel, or cargo, shall be taken, shall have and ex-
9 ercise the same power and jurisdiction over said ship or vessel,
10 tackle, furniture, apparel, or cargo, as if the same had been
11 seized within the collection district into which the said ship or
12 vessel, tackle, furniture, apparel, or cargo, shall be so taken.

1 SEC. 5. *And be it further enacted*, That in execution of
2 the provisions of this act, it may and shall be lawful for the
3 President of the United States, in addition to the revenue cut-

ters now in service, to employ in aid thereof such other public vessel as may, in his judgment, from time to time be required.

SEC. 6. *And be it further enacted,* That the fines, forfeitures, penalties, and disabilities incurred by virtue of this act may be mitigated or remitted in pursuance of the authority vested in the Secretary of the Treasury by the act entitled “An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned,” approved March third, seventeen hundred and ninety-seven.

SEC. 7. *And be it further enacted,* That whenever it shall appear, by satisfactory proof, that the obstruction to the collection of the revenue, and the impracticability of the execution of the revenue laws in any port so mentioned and specified in the President's proclamation as aforesaid have ceased to exist, then the President is hereby authorized to issue his subsequent proclamation to that effect. And thereupon the provisions of this act in relation to such port specified in such subsequent proclamation shall from the date thereof be inoperative and void.